



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FILE REC'D	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
10/663,488	09/16/2003	3738	375	SPINE 3.0-437 PPPPPPP 1 C	12	1

CONFIRMATION NO. 2425

CORRECTED FILING RECEIPT



0000000038583075

530
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

Date Mailed: 11/05/2009

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Joseph P. Errico, Green Brook, NJ;
Michael W. Dudasik, Nutley, NJ;
Rafail Zubok, Midland Park, NJ;

Power of Attorney: The patent practitioners associated with Customer Number 000530

Domestic Priority data as claimed by applicant

This application is a CIP of 10/282,356 10/29/2002 PAT 7,169,182
and is a CIP of 10/309,585 12/04/2002 PAT 7,115,132
and is a CIP of 10/425,267 04/29/2003 PAT 7,235,081
and said 10/309,585 12/04/2002
is a CIP of 10/282,356 10/29/2002 PAT 7,169,182
and said 10/425,267 04/29/2003
is a CIP of 10/282,356 10/29/2002 PAT 7,169,182
which is a CON of 10/256,160 09/26/2002 PAT 6,989,032
which is a CON of 10/175,417 06/19/2002 PAT 7,563,285
which is a CON of 10/151,280 05/20/2002 PAT 7,604,664
which is a CON of 09/970,479 10/04/2001 PAT 6,669,730
and is a CON of 10/140,153 05/07/2002 ABN
and said 09/970,479 10/04/2001
is a CON of 09/968,046 10/01/2001 ABN
and said 10/140,153 05/07/2002
is a CON of 09/970,479 10/04/2001 PAT 6,669,730
and is a CON of 10/128,619 04/23/2002 PAT 6,863,689
which is a CON of 09/906,119 07/16/2001 PAT 6,607,559
and is a CON of 09/982,148 10/18/2001 PAT 6,673,113

and said 10/282,356 10/29/2002
is a CON of 10/256,160 09/26/2002 PAT 6,989,032
which is a CON of 10/175,417 06/19/2002 PAT 7,563,285
which is a CON of 10/151,280 05/20/2002 PAT 7,604,664
which is a CON of 09/970,479 10/04/2001 PAT 6,669,730
and is a CON of 10/140,153 05/07/2002 ABN
and said 09/970,479 10/04/2001
is a CON of 09/968,046 10/01/2001 ABN
and said 10/140,153 05/07/2002
is a CON of 09/970,479 10/04/2001 PAT 6,669,730
and is a CON of 10/128,619 04/23/2002 PAT 6,863,689
which is a CON of 09/906,119 07/16/2001 PAT 6,607,559
and is a CON of 09/982,148 10/18/2001 PAT 6,673,113

Foreign Applications

If Required, Foreign Filing License Granted: 12/19/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/663,488**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR A TOOL WITH AN
EXTENDABLE POST

Preliminary Class

606

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application

serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).